

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
vs.) CR. NO: 2:05 cr 267-T
)
PRESTON GRICE;)
LEEANDORA WOODS;)
COREY HARVEY,)
)
 Defendants.)

MOTION TO CONTINUE ORAL ARGUMENT
IN SUPPORT OF MOTION TO DISMISS

COMES NOW the Defendant Preston Grice (hereinafter referred to as Grice), by and through counsel, and files this Motion to Continue Oral Argument in Support of Motion to Dismiss in the above-entitled action. As grounds, the Defendant Grice would show unto this Honorable Court the following:

1. Counsel for the Defendant Grice filed a Motion to Dismiss as a result of the failure of the Government to comply with the verbal and written Orders of this Honorable Court to produce the Affidavit for the Search Warrant in this matter by November 30, 2005, as well as the discovery on or before December 2, 2005.

2. That this Honorable Court, by Order dated December 5, 2005 (Document 46), has Ordered oral argument to be held on

motions to dismiss December 6, 2005, at 4:00 p.m. at the Federal Courthouse in Montgomery, Alabama.

3. That counsel for the Defendant Grice is currently engaged in a jury trial in Enterprise, Coffee County, Alabama, which commenced this date of December 5, 2005. The jury has been struck on this date and testimony is to begin on Tuesday, December 6, 2005. It is anticipated that the trial in the Circuit Court of Coffee County, Alabama, will last through December 6, 2005, and possibly through December 7, 2005.

WHEREFORE, THE PREMISES CONSIDERED, for the above and foregoing reason, counsel for the Defendant Grice respectfully requests that this Honorable Court grant this Motion to Continue Oral Argument due to the ongoing trial in Coffee County, Alabama.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed this document on December 5, 2005,

utilizing the CM/ECF system which will electronically notice the following parties:

Honorable Leura C. Garrett
United States Attorney

Honorable Bruce Maddox
Attorney for Corey Harvey

Honorable Susan James
Attorney for Leeondara Woods

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